UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA STATESVILLE DIVISION 5:19-cv-00049-MR

MATTHEW JAMES GRIFFIN,)
Plaintiff,)) \
vs.	ORDER
FNU HOLLAR, et al.,))
Defendants.)) }

THIS MATTER is before the Court on Plaintiff's "Motion to Complete Initial Screening of Complaint (doc. 1) As To Defendant NC-DPS" [Doc. 104] and Plaintiff's "First Motion for a 14 Day Extension of Time Within Which to File a Response to Order (doc. 98)" [Doc. 105].

Pro se Plaintiff Matthew James Griffin ("Plaintiff") is a prisoner of the State of New Mexico currently incarcerated at the Penitentiary of New Mexico in Sante Fe, New Mexico. He filed this action on April 30, 2019, pursuant to 42 U.S.C. § 1983, asserting claims he alleges arose while he was incarcerated at Alexander Correctional Institution in Taylorsville, North Carolina. [Doc. 1]. On March 10, 2022, the Court dismissed Defendant North Carolina Department of Public Safety (NCDPS) for Plaintiff's failure to prosecute and granted summary judgment for the remaining Defendants.

[Docs. 101, 102]. These Orders were mailed to Plaintiff the same day. [3/10/2022 Docket Entry]. Plaintiff now moves for an extension of time to respond to the Court's Show Cause Order regarding Plaintiff's failure to prosecute the NCDPS and for the Court to conduct initial screening of Defendant NCDPS.¹ [Docs. 104, 105].

The Court will deny these motions as moot. Defendant NCDPS has already been dismissed as a Defendant and this action has been terminated. Moreover, the Court received – and considered timely – Plaintiff's response to the Court's Order to show cause why Defendant NCDPS should not be dismissed, as reflected in the Court's Order dismissing this Defendant. [See Doc. 100].

ORDER

IT IS, THEREFORE, ORDERED that Plaintiff's motions [Docs. 104, 105] are **DENIED** as moot in accordance with the terms of this Order.

IT IS SO ORDERED.

Signed: March 27, 2022

Martin Reidinger

Chief United States District Judge

¹ It appears the Court's recent Orders and the Plaintiff's pending motions crossed in the mail.